

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

METROPOLITAN PROPERTY AND)	
CASUALTY INSURANCE CO.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 04-10897GAO
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

JOINT PROPOSED PRETRIAL SCHEDULE UNDER LOCAL RULE 16.1(D)

The parties to the above-captioned matter hereby propose the following pretrial schedule:

1. AUTOMATIC DISCOVERY

All discovery exchanges required by F.R.C.P. 26 (A)(1) and Local Rule 26.2(A) shall be completed by November 10, 2004.

2. AMENDMENTS TO PLEADINGS

All motions to amend the pleadings or to join additional parties or claims under any applicable rule shall be made on or before November 10, 2004.

3. FACT DISCOVERY

A. Written Discovery

All written discovery, including document requests, interrogatories, depositions on written questions, and requests for admissions, shall be completed by February 21, 2005.

B. Oral Depositions

All non-expert oral depositions shall be completed by February 21, 2005.

4. EXPERT DISCOVERY

A. Initial Disclosure

Plaintiff shall make the initial disclosure of expert materials required by F.R.Civ. P. 26(A)(2) by March 21, 2005, and Defendant by April 21, 2005.

B. Further Discovery

Further discovery concerning expert witnesses pursuant to Fed. R. Civ. P. 26(b)(4), including interrogatories and depositions, shall be completed by May 21, 2005.

5. DISPOSITIVE MOTIONS

All dispositive motions under F.R. Civ. P. 12 or 56 shall be made on or before June 21, 2005.

6. FINAL PRETRIAL CONFERENCE

The parties request that the final pretrial conference be scheduled after all dispositive motions are heard.

7. CONSENT TO TRIAL BY MAGISTRATE

The parties do not consent to trial by a United States Magistrate Judge at this time.

Counsel hereby certify that they have conferred with the their respective clients with respect to budgeting for costs of litigation and consideration of alternative dispute resolution under the provisions of Local Rule 16.1(D)(3).

Plaintiff,
By their attorneys,

Defendant,
By its attorney,

Michael J. Sullivan
UNITED STATES ATTORNEY

/s/ Christopher P. McArdle
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By: /s/ Gina Y. Walcott-Torres
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a true copy
of this document to the following counsel of record:

Richard Schlesinger, Esq. and Christopher P. McArdle, Esq., 11 Beacon Street, Suite 632, Boston,
MA 02108

Date: October 25, 2004

/s/ Gina Y. Walcott-Torres
Gina Y. Walcott-Torres
Assistant U.S. Attorney